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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/933,889  | 08/20/2001  | Robert T. Jurdi      | 100.250US01         | 6368             |
| 34206   | 7590        | 04/20/2006           | EXAMINER            |                  |
| FOGG AND ASSOCIATES, LLC<br>P.O. BOX 581339<br>MINNEAPOLIS, MN 55458-1339 |             |                      | BOAKYE, ALEXANDER O |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2616                |                  |

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/933,889

Applicant(s)

JURDI ET AL.

Examiner

ALEXANDER BOAKYE

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-5 and 7-15 is/are allowed.
- 6) ☒ Claim(s) 6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akers et al. (US Patent # 6,967,952) in view of Bailey (US Patent # 6,978,011).

Regarding claim 6, Akers teaches receiving ATM cells having data for transmission over the communication line (column 7, lines 24-25); processing the cells to remove the data (column 8, lines 65-66); preparing the data for transmission as ADSL signals over the communication line (column 7, lines 25-26). Akers differs from the claimed invention in that Akers does not teach a common mode choke to reduce noise in the ADSL signals. However, Bailey from the same field of endeavor discloses a common mode choke to reduce noise in the ADSL signals prior to transmission (column 4, lines 25-33). One of ordinary skill in the art would have been motivated to incorporate a common mode choke into the communication network of Akers in order to reduce noise in the ADSL signals. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a common

mode choke such as the one taught by Bailey into the communication network of Akers with the motivation being that it provides capability for reducing noise in the ADSL signals, thus enhancing signal transmission.

***Allowable Subject Matter***

2. Claims 1-5 and 7-15 are allowable.

The following is a statement of reasons for the indication of allowable subject matter: As to claims 1-5, the prior art of record does not teach a transceiver section, coupled to the ATM section, the transceiver section including at least one subscriber port, the transceiver section providing for modulation and demodulation of data for the at least one subscriber port, the transceiver section including a common mode choke for reducing noise on the common line. As to claims 7-15, the prior art of record does not teach An ADSL communications system, the system comprising: a digital subscriber line access multiplexer, including: one or more channel cards, the one or more channel cards adapted to communicate with one or more subscribers; one or more line cards, the one or more line cards adapted to provide an interface to one or more networks over communication lines; and a cell bus coupled to one or more channel cards and the one or more line cards; wherein the one or more channel cards include a common mode choke to reduce noise on ADSL signals communicated over the communication lines.

***Response to Arguments***

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3. Applicant's arguments with respect to claim 1-15 have been considered but are moot in view of the new ground(s) of rejection.

### Conclusion

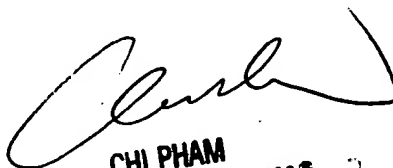
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 272-3179. The fax number is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Electronic Business Center numbers 866-217-9197 and 703-305-3028.

Alexander Boakye

Patent Examiner

AB  
4/14/06

  
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4/17/06